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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,627	11/24/2003	Frank Rosemann	0275M-000814	4263

27572 7590 07/28/2005

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BLOOMFIELD HILLS, MI 48303

EXAMINER

WOOD, KIMBERLY T

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/720,627

Applicant(s)

ROSEMAN ET AL.

Examiner

Kimberly T. Wood

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 18,23,24 and 26-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18,23,24,26-29 and 35-37 is/are allowed.
- 6) ☒ Claim(s) 30-34,38-44,48,49 and 51 is/are rejected.
- 7) ☒ Claim(s) 45-47 and 50 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 3632

This is an office action for serial number 10/720,627, in response to amendment filed on March 22, 2005.

***Response to Amendment***

Based on the newly cited reference (s) the finality of that action is withdrawn.

***Allowable Subject Matter***

The indicated allowability of claims 38-44, 48, 49, and 51 is withdrawn in view of the newly discovered reference(s) to Boville 5,168,604 and Kraus 6,076,781. Rejections based on the newly cited reference(s) the finality of that action is withdrawn.

***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the cable tree must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should

Art Unit: 3632

include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at

Art Unit: 3632

the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

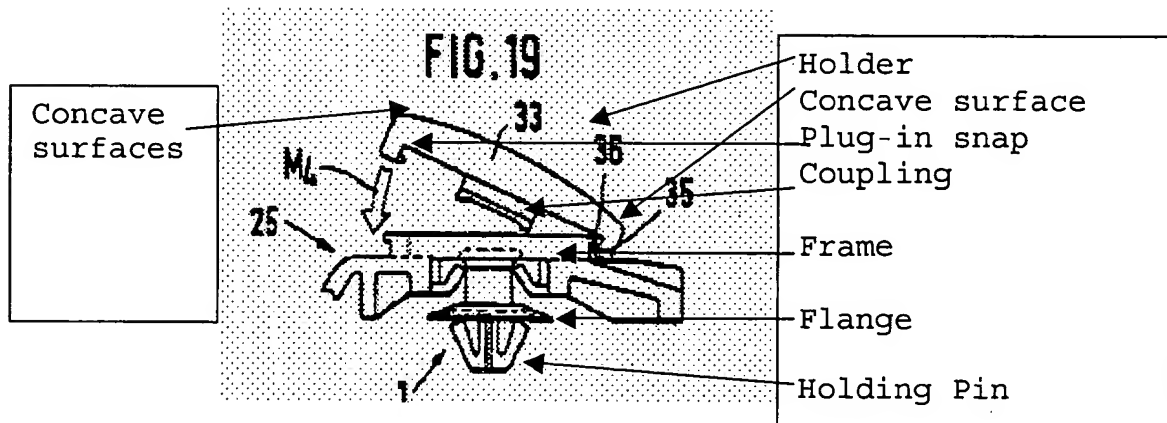
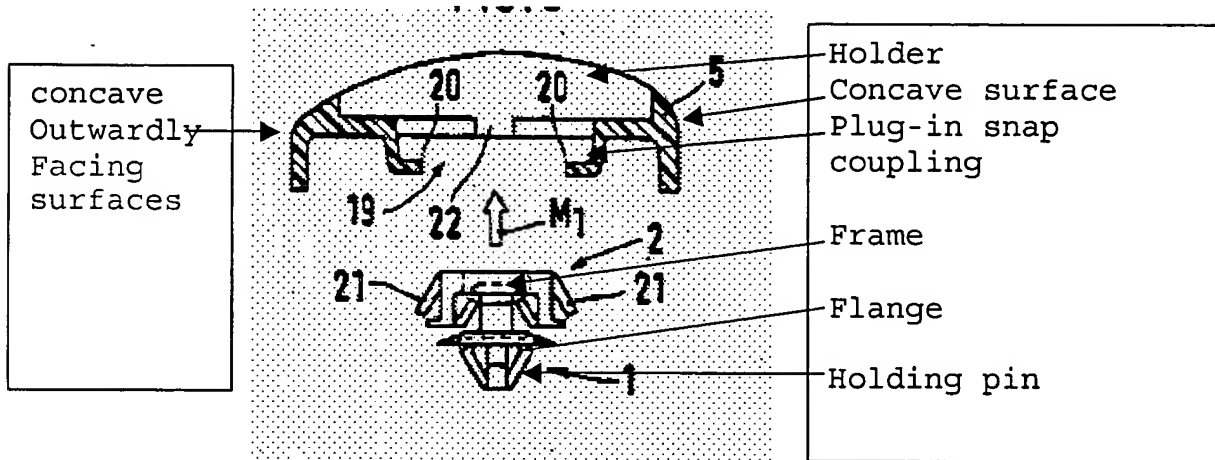
Claims 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE 19775273 (DE 273) in view of Boville 5,168,604. DE 273 discloses a fastener element (15) having a holding pin (22) having a catch element (24), a rectangular shaped frame (16) having a parallel pair of opposed ledges (near 18a and 17a), a rectangular shaped opening (between ledges), opposed pair of sides (17 and 18), a flange (between 21 and 24), a plurality of projections (19); a deflectable holder (10) having spring fingers (11 and 12) with a ramp (14), a catch (13), and a locking surface (top of 13 between 20 and 13), and concave surfaces/outwardly facing surfaces (4) (the plug-in snap coupling being the fingers). DE 273 discloses all the limitations of the claimed invention except for the deflectable holder. Boville teaches that it is known to have a deflectable holder having spring fingers (17 or 7). It would have been obvious to one having ordinary skill in the art to have modified DE 273 to have made the holder and spring fingers deflectable as taught by Boville for the purpose of providing a better means to facilitate attachment of the holder to the fastener element.

Art Unit: 3632

Claims 38-44, 48, 49, and 51 are rejected under 35 U.S.C.

103(a) as being unpatentable over Boville 5,168,604 in view

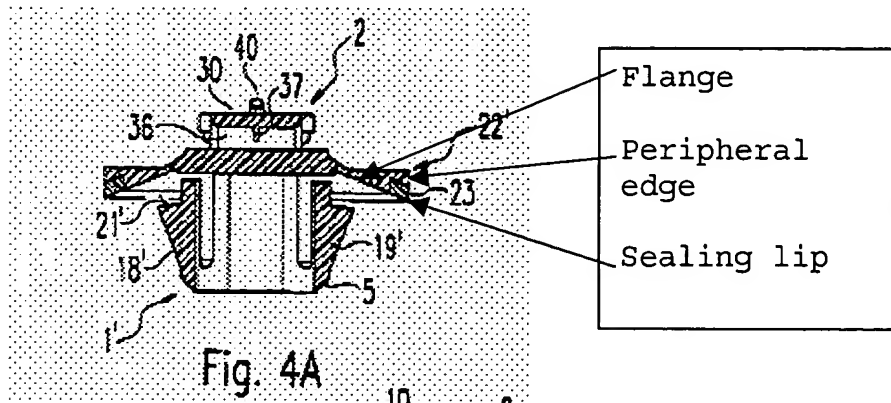
Kraus 6,076,781. Boville discloses:



Boville discloses all of the limitations of the claimed invention except for the sealing lip being created of a material softer than a flange material. Kraus discloses a flange (column, 7, lines 34ff). It would have been obvious to one having ordinary skill in the art to have modified Boville to have included the flange as taught by Kraus for the purpose of

Art Unit: 3632

providing an additional sealing effect for the fastener element.



### ***Response to Arguments***

Applicant's arguments filed March 22, 2005 have been fully considered but they are not persuasive.

The applicant's argues that DE 1975273 (herein DE273) does not discloses "locking the holder in a central position along the frame". This argument is respectfully traversed. DE273 clearly teaches that the holder (10) can be locked in a central position on the frame (16) as well as along the entire length of the frame using the fingers (11 and 12). The fingers being captured under the ledges (near 18a and 17a) of the frame would cause the holder to be locked on the frame within a central position when the user positions the holder centrally on the frame.

### ***Allowable Subject Matter***

Claims 18, 23, 24, 26-29, 35-37 are allowed.

Art Unit: 3632

Claims 45-47 and 50 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

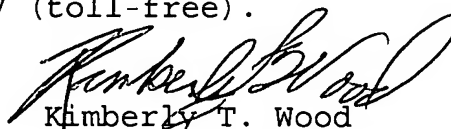
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly T. Wood whose telephone number is 571-272-6826. The examiner can normally be reached on Monday-Thursday 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 571-272-6788. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Art Unit: 3632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Kimberly T. Wood  
Primary Examiner  
Art Unit 3632

July 26, 2005